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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,709	03/03/2005	Eugen Hangleiter	23235	7448
535	7590	02/14/2006	EXAMINER	
THE FIRM OF KARL F ROSS 5676 RIVERDALE AVENUE PO BOX 900 RIVERDALE (BRONX), NY 10471-0900			ROSS, DANA	
			ART UNIT	PAPER NUMBER
			3722	

DATE MAILED: 02/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/526,709	Applicant(s) HANGLEITER, EUGEN	
	Examiner Dana Ross	Art Unit 3722	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/3/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

The disclosure does not include headings to the subjects of the disclosure. For example, there are no headings such as "Background of the Invention", "Field of Invention", "Description of Related Art", "Summary of Invention", "Description of Drawings" or "Detailed description of the Invention".

The disclosure on page 2, line 4, it appears "aster" should be "after".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1 and 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Regarding claim 4, line 3, it is not clear how many "retaining" faces there are. Claim 1 has one retaining face, but claim 4 addresses the "respective retaining face".

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

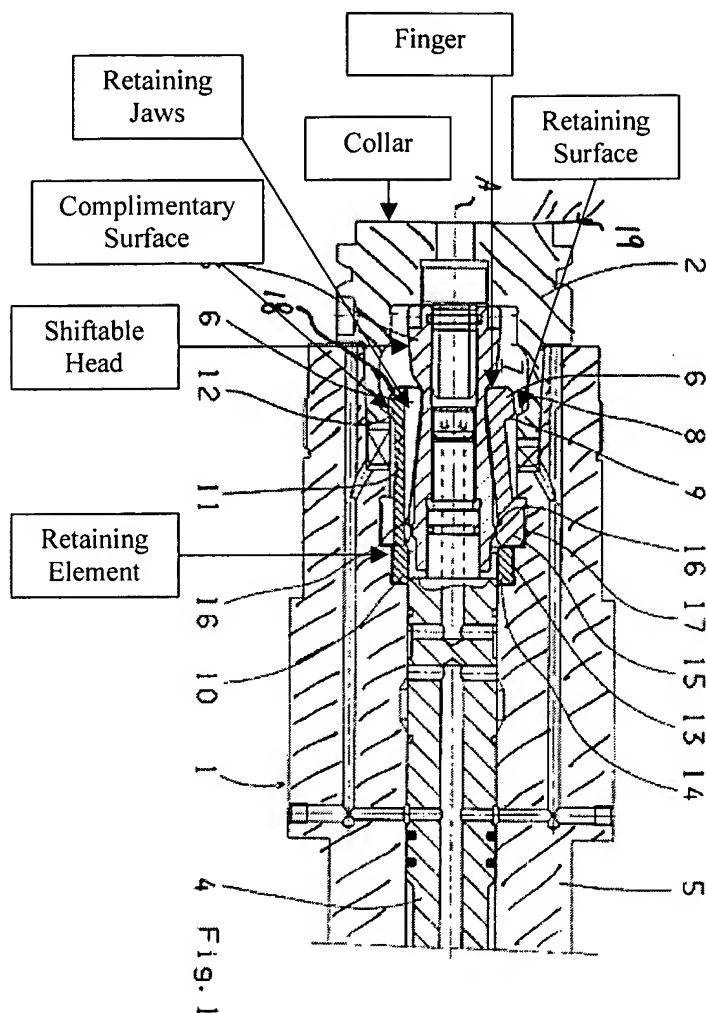
or

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat. No. 6,419,430 (Hangleiter, hereafter ‘430).

‘430 teaches a holder for a collar of a workpiece or tool that has an internal angled retaining surface 8 and retaining jaws 6 that are mounted on a drive spindle 5, shiftable head 3 in the drive spindle 5 that engages complementary angled faces on the retaining surface 8, with a retaining element (see figure 1 below) mounted on the drive spindle 5 and formed with radially deflectable retaining fingers (see figure 1 below) extending parallel to the retaining jaws and having angled retaining faces complementary to the clamping faces and engageable with the clamping faces of the collar 2, each finger has axially inward of the retaining face a radially outwardly directed centering face engageable with a free end of the collar.

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Regarding claim 2, it is noted that the centering faces, by their engagement with the collar, provide a frictional surface.

Regarding claim 3, '430 discloses that when the collar is fitted to the sleeve 5, the fingers will spring back elastically outward and the back faces 12 will engage the shoulder 8". Therefore '430 teaches the fingers are in a pre-stressed, radially outward direction, condition at this time (see col. 3, lines 16-22, for example).

Regarding claim 4, '430 teaches generic a generic "indent" in the structure between the centering face and retaining face (see figures 1 or 3).

Examiner notes that claim 1 uses the terms "engageable", "operable", "shiftable", "deflectable", and so forth, which are not positive limitations but instead only require the ability to so perform.

6. Claims 1-4 are rejected under 35 U.S.C. 102(a) as being anticipated by US Pat. Pub. 2002/0063399 (Rohm, hereafter '399).

'399 teaches a holder for a collar 1 with collet assembly 20 for a workpiece or tool that has an internal angled retaining surface and retaining jaws 8 that are mounted on a drive spindle of the chuck body 4, shiftable head 13 that engages complementary angled faces on the retaining surface, with a retaining element 11 and formed with radially deflectable retaining fingers (see figure 7) extending parallel to the retaining jaws and having angled retaining faces complementary to the clamping faces and engageable with the clamping faces of the collar 1, each finger has axially inward of the retaining face a radially outwardly directed centering face engageable with a free end of the collar.

Regarding claim 3, it is noted that the fingers are considered in a pre-stressed state due to the elastic structure of the fingers.

Regarding claim 4, '399 teaches a collar 13 with fingers (see figure 7, for example) with indents between the centering face and retaining face (see figure 7, for example).

Examiner notes that claim 1 uses the terms "engageable", "operable", "shiftable", "deflectable", and so forth, which are not positive limitations but instead only require the ability to so perform.

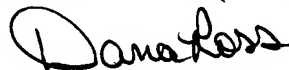
Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dana Ross whose telephone number is 571-272-4480. The examiner can normally be reached on Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Dana Ross
Examiner
Art Unit 3722


dmr